

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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| ANTHONY STAPLES, | § |
| | § |
| Defendant Below, | § No. 289, 2023 |
| Appellant, | § |
| | § Court Below: Superior Court |
| v. | § of the State of Delaware |
| | § |
| STATE OF DELAWARE, | § Cr. I.D. No. N2206009188 |
| | § |
| Appellee. | § |

Submitted: August 29, 2023
Decided: September 8, 2023

ORDER

On August 16, 2023, the appellant filed this appeal from a Superior Court sentence imposed on July 7, 2023, following the appellant's guilty plea on May 8, 2023. A notice of appeal must be timely filed to invoke the Court's appellate jurisdiction.¹ Under Supreme Court Rules 6 and 11, a timely notice of appeal should have been filed on or before August 7, 2023. The Senior Court Clerk issued a notice directing the appellant to show cause why this appeal should not be dismissed as untimely filed. On August 21, 2023, the Court received the certified mail receipt indicating that the notice to show cause had been delivered on August 18, 2023. The appellant having failed to respond to the notice to show cause within the required ten-day period, dismissal of this action is deemed to be unopposed.

¹ *Carr v. State*, 554 A.2d 778, 779 (Del. 1989).

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ N. Christopher Griffiths
Justice